

REMARKS

Further to the amendment filed July 28, 2009, this supplemental amendment is submitted to clearly distinguish claim 1 over the medication dispensing apparatus disclosed in the Chudy patent (U.S. Patent No. 6,170,230).

On August 3, 2009 the distinctions between the present invention, as defined in claim 1, and the Chudy reference were discussed with the Examiner in a telephone interview. The courteous manner in which the Examiner conducted the interview is sincerely appreciated. During the telephone interview, it was agreed that the above amendment to claim 1 would set forth a patentable distinction over the Chudy reference. In particular, claim 1 is now amended to recite that the guide member (35; Fig. 2) is immovably fixed on an inner surface of a side wall of the drug case separately from the pushing mechanism. This amendment clearly distinguishes over the pivoting feed claws 10 of Chudy which are not provided so as to be immovable or fixed, and are not provided in a pushing direction (see previous response, pages 6-7, item 4).

In view of the above, it is submitted that claim 1 is now clearly allowable over the prior art of record. The Examiner is therefore requested to enter the amendment filed July 28, 2009, the present amendment, and pass this application to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

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